

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 05-40029-FDS
	)	
DAVID CHRISTOPHER LEBRUN	)	

MOTION TO RESCHEDULE SUPERVISED RELEASE HEARING

Defendant, David Christopher Lebrun, hereby requests the Court to continue his supervised release hearing, currently scheduled for April 26, 2006 at 2:00 p.m., to either May 2, 2006 or May 5, 2006. The defendant requests this additional time so that he may have his wife, Kimberly Ann Hopkins Lebrun, available to testify on his behalf. Mrs. Lebrun has a work commitment on April 26, 2006 that she cannot reschedule and so she would not be available for the hearing at 2:00 p.m. on April 26, 2006.

It is imperative that Mrs. Lebrun be available to testify and or address the Court regarding United States Probation Officer Forman's allegations regarding potential alcohol abuse and allusions to domestic issues within the Lebrun home. Mr. Lebrun wishes to reiterate that the original condition imposed regarding alcohol use was no "excessive" use of alcohol. This recommendation was made after a pre-sentence investigation in North Carolina and after Mr. Lebrun had successfully complied

with substance abuse monitoring during the course of his pre-trial release period beginning on May 10, 2004.

Assistant U.S. Attorney Paul Casey and U.S. Probation Officer Mike Forman have been informed by counsel of this request to reschedule. Mr. Forman responded that he would be objecting to a continuance.

DAVID CHRISTOPHER LEBRUN  
By his attorney,

/s/ Oscar Cruz, Jr.  
Oscar Cruz, Jr.  
B.B.O. #630813  
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Certificate of Service

I, Oscar Cruz, Jr., hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on April 25, 2006.

/s/ Oscar Cruz, Jr.  
Oscar Cruz, Jr.